

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Richard L. Stebbins

v.

Civil No. 14-cv-302-LM

Ronald White, Superintendent,
Merrimack County Department of
Corrections, et al.

REPORT AND RECOMMENDATION

On October 6, 2015, this court issued an Order (doc. no. 30) directing plaintiff Richard L. Stebbins to notify this court as to whether he intended to prosecute this action by November 5, 2015, and warned Stebbins that the case could be dismissed if he failed to comply with that Order. Stebbins has not filed any response to the Order, and the copy mailed to him has not been returned to the court. Stebbins has abandoned the matter.

For the reasons stated above, and in the October 6, 2015, Order (doc. no. 30), the district judge should dismiss this action for failure to prosecute, and deny the defendants' pending motion to dismiss (doc. no. 28) as moot. Any objections to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the

right to appeal the district court's order. See Garayalde-Rijos
v. Mun. of Carolina, 747 F.3d 15, 21-22 (1st Cir. 2014).


Andrea K. Johnstone
United States Magistrate Judge

November 23, 2015

cc: Richard L. Stebbins, pro se
John A. Curran, Esq.